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CC

ATTORNEY DOCKET NO. 25006.0001U5
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of |) | |
| |) | |
| Lizardi et al. |) | |
| |) | |
| Application No. 10/038,718 |) | Art Unit: 1634 |
| |) | |
| Filed: January 2, 2002 |) | Examiner: Whisenant, Ethan |
| |) | |
| For: ROLLING CIRCLE REPLICATION |) | Confirmation No. 1634 |
| REPORTER SYSTEMS |) | |

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer Number 23859

Sir:

Responsive to the Office Action mailed on October 22, 2003, please consider the following remarks.

Remarks

Claims 43-50 are pending. Applicants appreciate the indication that claims 43-50 are free of the prior art.

Double Patenting Rejection

Claims 43-50 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-12 of U.S. Patent No. 6,344,329.

Applicants respectfully traverse this rejection.